

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

UNIVERSAL INSPECTION GROUP, LLC,)
a Nevada limited liability company,) No. C07-01965-JLR
Plaintiff/Counter-defendant,)
vs.) REPLY AND AFFIRMATIVE DEFENSES TO
ALEC B. ANGUS and LALINE ANGUS, and) COUNTERCLAIMS
their marital community; and INTEGRA)
INSPECTION GROUP, LLC, a Washington)
limited liability company,)
Defendants/Counterclaimants.)

Plaintiff/Counter-defendant, Universal Inspection Group, LLC, (Plaintiff) by and through its counsel, replies to the counterclaims of Defendants/Counterclaimants (Defendants) as follows:

Defendants' counterclaims contain no statement of facts section and fail to state supporting facts for their counterclaims. Plaintiff denies that the counterclaims have any factual support. The following are Plaintiff's answers to the specific paragraphs of Defendants' counterclaims.

1. Deny.
2. Deny.
3. Deny.
4. Deny.
5. Plaintiff does not have sufficient knowledge or information to form a belief as to the

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1 truth or falsity of the alleged relationship and business expectancy between Integra and Puget Sound
2 Energy, and therefore deny the same. Deny the remaining allegations of Paragraph 5.

3 6. Deny.

4 7. Deny.

5 8. To the extent an answer is required, deny.

6 9. To the extent an answer is required, deny.

7 AFFIRMATIVE DEFENSES

8 Having fully answered Defendants' counterclaims, Plaintiff pleads affirmative and other
9 defenses as follows:

10 1. Defendants failed to follow the applicable court rule and requirements in stating their
11 counterclaims.

12 2. Defendants failed to state a claim or cause of action upon which relief can be granted.

13 3. Any damages, if any existed, allegedly suffered by Defendants were caused by their
14 own actions or inactions, decisions, and/or choices.

15 4. Defendants' counterclaims constitute malicious prosecution and/or abuse of process
16 and are in violation of Federal Rule of Civil Procedure 11.

17 5. Defendants' counterclaims or causes of action, if any, should be barred on the basis of
18 unclean hands.

19 6. Defendants' counterclaims or causes of action, if any, should be barred or subject to
20 offset on the bases of estoppel, waiver, failure of consideration, laches, negligence, failure to mitigate
21 damages, and/or other legal or equitable defenses.

22 7. It is inequitable and unjust for Defendants to maintain the counterclaims.

23 8. Any damages, if any existed, allegedly suffered by Defendants may have been caused

1 in whole or in part by third persons or entities over whom Plaintiff had no control or right of control.

2 9. Defendants' counterclaims or causes of action, if any, may be barred for failure to
3 name indispensable parties.

4 10. Plaintiff reserves the right to add or assert additional affirmative defenses as warranted
5 by further discovery.

6 PRAYER FOR RELIEF

7 WHEREFORE, Plaintiff prays for relief and judgment against Defendants as follows:

- 8 1. The counterclaims be dismissed with prejudice;
- 9 2. Plaintiff be awarded attorney fees and costs in defending against the counterclaims;
- 10 3. Plaintiff be awarded sanctions and damages against Defendants for abuse of process,
11 malicious prosecution, and violation of Rule 11;
- 12 4. Plaintiff be awarded such other and further relief that the court deems just and
13 appropriate.

14 Dated this 20th day of March, 2008.

15 LAW OFFICES OF VIC S. LAM PS

16 /s/ Vic S. Lam
17 Vic S. Lam, WSBA #25100
Attorney for the Plaintiff/Counter-defendant

18 CERTIFICATE OF SERVICE

19 I HEREBY CERTIFY that on March 20, 2008, I electronically filed the foregoing with the
20 Clerk of the Court using the CM/ECF system which will send notification of such filing to the
following CM/ECF participant(s):

21 Julie K. Fowler, Attorney for Defendants/Counterclaimants.

22 Dated this 20th day of March, 2008.

23 /s/ Vic S. Lam
Vic S. Lam, WSBA #25100

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